

MAR. 28. 2008 10:43AM

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TO		Examiner Cynthia B. Wilder	March 28, 2008
NAME		USPTO	DATE
COMPANY/FIRM			FAX #
NUMBER OF PAGES INCLUDING COVER: 3		CONFIRM FAX: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
FROM		Thomas M. Cunningham	248628US0X
NAME		(703) 413-6563	OUR REFERENCE
DIRECT PHONE #			10/787,219
			YOUR REFERENCE

## MESSAGE

Dear Madam,

Please find attached herewith copy of a Declaration Under 37 CFR 1.132 executed by Dr. Jean-Luc Jestin.

Best Regards  
Thomas M. Cunningham

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service at our Expense. Thank You.

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NO. 285

P. 2

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DOCKET NO: 248628US0X

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

JEAN-LUC JESTIN, ET AL.

: EXAMINER: WILDER, C. B.

SERIAL NO: 10/787,219 :

FILED: FEBRUARY 27, 2004

: GROUP ART UNIT: 1637

FOR: METHODS FOR OBTAINING  
THERMOSTABLE ENZYMES, DNA  
POLYMERASE I VARIANTS FROM  
THERMUS AQUATICUS HAVING NEW  
CATALYTIC ACTIVITIES, METHODS  
FOR OBTAINING THE SAME, AND  
APPLICATIONS OF THE SAME

DECLARATION UNDER 37 C.F.R. § 1.132

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes Jean-Luc Justin who deposes and

states:

1. That I am a graduate of Université Pierre et Marie Curie and received a Habilitation degree in the year 2002.
2. That I have been employed by Institut Pasteur for 8 years as a researcher in the field of biological chemistry.
3. That I understand the English language or, at least, that the contents of the Declaration were made clear to me prior to executing the same.
4. That the phage identified as SJL s and SJL a were produced by me or under my direct supervision and control and were deposited as CNCM I-3171 and CNCM I-3176.

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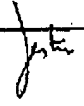
NO. 285 P. 3

Application 10/787,219  
Declaration under 37 C.F.R. 1.132

5. That phages "SJL s" and "SJL a" described on page 33 of the specification encode the phage polymerases identified as "s" and "a" described in Fig. 3, on page 7 and in the Table on page 52 of the specification.

6. The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

7. Further deponent saith not.

Signature: 

Date March 28, 2008